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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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CESARI AND MCKENNA, LLP
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EXAMINER

ELLIS, RICHARD L

ART UNIT	PAPER NUMBER
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2183

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Non-Compliant Amendment (37 CFR 1.121)


The amendment document filed on December 30, 2003 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 *Fed Reg.* 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
- ☐ B. New paragraph(s) should not be underlined.
- ☐ C. Other: _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
- ☐ B. Other: _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
- ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims).
- ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Claim 19 has been labeled with the status identifier "previously presented" while simultaneously containing insertions and deletions marked with underlining and strikeout. Therefore, it is not clear if applicant intends to amend the claims (in which case the status identifier is incorrect) or if applicant intended not to amend (in which case the underlining and strikeout is incorrect). Applicant's response failed to correct the above mentioned error, and in fact, simply presented the previous amendment to claim 19 unchanged. Additionally, the newly submitted amendment introduces an additional error which was not present in the previous amendment, claim 11 now uses the parenthetical "currently presented" which is not one of the seven allowed parenthetical expressions.
- ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
- ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

Applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which fully complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 within the time limit will result in **abandonment** of the application. **This ONE MONTH time limit is not extendable.**


RICHARD L. ELLIS
PRIMARY EXAMINER